

**\*Confidential: Fw: Confidential inquiry Lower Silver Creek**  
**Kathryn Hernandez to: Mia Bearley**

06/03/2010 11:44 AM

Kathy

Kathryn Hernandez  
 USEPA, Region VIII (8EPR-SR)  
 1595 Wynkoop Street  
 Denver, CO 80202  
 (303) 312-6101 (office)  
 (720) 352-7497 (cell)

— Forwarded by Kathryn Hernandez/R8/USEPA/US on 06/03/2010 11:41 AM —

From: gericlaw@aol.com  
 To: Kathryn Hernandez/R8/USEPA/US@EPA  
 Date: 06/03/2010 08:50 AM  
 Subject: Confidential inquiry Lower Silver Creek

Confidential inquiry

Kathy,

I represent clients who may be impacted by decisions regarding the lower Silver Creek area in Park City/Summit County, Utah. We have spoken before. I attended a Summit County work session yesterday where the subject of this area was discussed. I have a couple of questions.

1. Summit County represented that EPA had obtained a judgement of \$9 million against a mining company who may have responsibility. Could you please refer me to the judgement and the name of the party Defendant? I remember something about a mining company who filed bankruptcy. Is this the same party?
2. Is this fund available to property owners for cleanup?
3. How do EPA regulations dovetail with Summit County Ordinance #692 overlay zone or landowners including the County carve out only land that is developable or must they clean up all parcels they own within the overlay zone?
4. Summit County mentioned that EPA would like the 'triangle parcel' owned by Summit County to serve as a repository for soils clean up. They rather jovially rejected that notion. Is EPA aware that the County has tentatively granted itself over 1.5 million sq ft of commercial development on that parcel without a public process?

Sincerely  
 Greg Ericksen  
 Attorney at law

*COPY of  
 this  
 portion  
 is in  
 the 002  
 Richards  
 Flat  
 Site  
 Files  
 public  
 doc.*

801-299-5519



Re: \*Confidential: Re: Confidential inquiry Lower Silver Creek  
gericlaw  
to:  
Mia Bearley  
06/10/2010 03:50 PM  
Cc:  
Kathryn Hernandez, Maureen O'Reilly  
Show Details

A copy of  
This non-confid  
corresp. is  
in the OU2  
Richardson  
Flat Site File,  
publically available

Mia,  
Thanks for you voice mail.  
I had a couple of more questions that I wanted to ask you via phone.  
You can reach me at 801-299-5519 office, or 801-231-9694 cell  
Thanks  
Greg Ericksen

-----Original Message-----

From: Bearley.Mia@epamail.epa.gov  
To: gericlaw@aol.com  
Cc: hernandez.kathryn@epa.gov; O'Reilly.Maureen@epamail.epa.gov  
Sent: Wed, Jun 9, 2010 9:46 am  
Subject: Re: \*Confidential: Re: Confidential inquiry Lower Silver Creek

I hope my voice mail answered your questions. Thanks for your interest.

From: [gericlaw@aol.com](mailto:gericlaw@aol.com)

To: Mia Bearley/R8/USEPA/US@EPA

Date: 06/06/2010 10:53 PM

Subject: Re: \*Confidential: Re: Confidential inquiry Lower Silver Creek

Look forward to your response.

Greg

-----Original Message-----

From: [Bearley.Mia@epamail.epa.gov](mailto:Bearley.Mia@epamail.epa.gov)

To: [Hernandez.Kathryn@epamail.epa.gov](mailto:Hernandez.Kathryn@epamail.epa.gov)

Cc: [gericlaw@aol.com](mailto:gericlaw@aol.com); [OReilly.Maureen@epamail.epa.gov](mailto:OReilly.Maureen@epamail.epa.gov)

Sent: Sun, Jun 6, 2010 11:10 am

Subject: Re: \*Confidential: Re: Confidential inquiry Lower Silver Creek

Hi Greg. I have received your questions, below, and will get back to you asap - hopefully early Monday afternoon. Thanks for your interest in this Site.

-----Kathryn Hernandez/R8/USEPA/US wrote: -----

To: Mia Bearley/R8/USEPA/US@EPA

From: Kathryn Hernandez/R8/USEPA/US

Date: 06/03/2010 11:39AM

Cc: [gericlaw@aol.com](mailto:gericlaw@aol.com), Maureen OReilly/R8/USEPA/US@EPA

Subject: \*Confidential: Re: Confidential inquiry Lower Silver Creek

Hi Greg - I am forwarding your email to the Site Attorney - Mia Bearley.

Thanks, Kathy

Kathryn Hernandez

USEPA, Region VIII (8EPR-SR)

1595 Wynkoop Street

Denver, CO 80202

(303) 312-6101 (office)

(720) 352-7497 (cell)

gericlaw--06/03/2010 08:50:03 AM---Confidential inquiry Kathy,

From: [gericlaw@aol.com](mailto:gericlaw@aol.com)

To: Kathryn Hernandez/R8/USEPA/US@EPA

Date: 06/03/2010 08:50 AM

Subject: Confidential inquiry Lower Silver Creek

Confidential inquiry

Kathy,

I represent clients who may be impacted by decisions regarding the lower Silver Creek area in Park City/Summit County, Utah. We have spoken before.

I attended a Summit County work session yesterday where the subject of this area was discussed.

I have a couple of questions.

1. Summit County represented that EPA had obtained a judgement of \$9 million against a mining company who may have responsibility. Could you please refer me to the judgement and the name of the party Defendant? I remember something about a mining company who filed bankruptcy. Is this the same party?

2. Is this fund available to property owners for cleanup?

3. How do EPA regulations dovetail with Summit County Ordinance #692 overlay zone or landowners including the County carve out only land that is developable or must they clean up all parcels they own within the overlay zone?

4. Summit County mentioned that EPA would like the 'triangle parcel' owned by Summit County to serve as a repository for soils clean up. They rather jovially rejected that notion. Is EPA aware that the County has tentatively granted itself over 1.5 million sq ft of commercial development on that parcel without a public process?

Sincerely

Greg Ericksen

Attorney at law

801-299-5519